

ALEXEY KONDRATIEV
3045 16th Sideroad,
King City, Ontario L7B1A3
Canada

Pro Se Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Oleg Boyko, et al.
Plaintiffs,
v.
Alexey Kondratiev, et al.
Defendants.

No. CV-23-01186-PHX-DLR

**THE DEFENDAT'S ANSWER
TO THE COMPLIANT**

Defendant Alexey Kondratiev ("Kondratiev") hereby answers the Compliant of
Plaintiffs as follows.

NATURE OF THE ACTION

1. Denied. Kondratiev denies that he owns the allegedly Infringing Website and that he made "demonstrably false statements concerning Boyko's character and business practices".
2. Denied. Kondratiev never used Boyko's name or the Boyko Mark "in bad faith" with intent to profit from it due to Kondratiev being neither the owner nor creator of the Infringing Website.

1 3. Denied.

2 4. Denied.

3
4 THE PARTIES

5 5. Admitted.

6 6. Admitted.

7 7. Admitted.

8 8. Denied.

9
10 JURISDICTION AND VENUE

11 9. Admitted.

12 10. Denied. Kondratiev never registered <olegvboyko.website> through
13 NameCheap Inc. and is therefore not subject to its Registration Agreement.

14 11. Denied.

15 12. Denied. This Court has no jurisdiction over Kondratiev.

16
17 FACTS COMMON TO ALL CAUSES OF ACTION

18 13. Admitted.

19 14. Admitted.

20 15. Admitted in part, denied in part. Kondratiev denies that he added Boyko as a
21 “cross-defendant” to Arcadia’s litigation.

22 16. Denied. None of Kondratiev’s claims were dismissed before December 2016
23 nor were they dismissed shortly thereafter.

24 17. Denied. Kondratiev specifically denies any accusations of extorting Mr.
25 Boyko.
26
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1 18. Denied. Kondratiev denies registering the domain <olegvboyko.website> with
2 NameCheap.

3 19. Denied in part, admitted in part. The “Infringing Website” contains
4 information from United States government agencies and mass-media
5 publications linking Oleg Boyko to organized crime and Russian intelligence
6 agencies. Particularly, the website in question links Mr. Boyko to the Nahman-
7 Trincher gambling ring.
8

9
10 20. Denied. A Court in Latvia ruled on a separate web site which had no
11 resemblance to the “Infringing Website”. This Latvian Court has no
12 jurisdiction in the State of Arizona.
13

14 21. Denied.

15 22. Admitted in part, denied in part. Kondratiev admits that the phone number 1-
16 416-456-9875 belongs to him.
17

18 23. Denied.

19 24. Denied.

20 COUNT ONE

21
22 25. Denied.

23 26. Admitted.

24 27. Admitted.

25 28. Denied.

26 29. Denied.

27 30. Denied.
28

1 31. Denied.

2 32. Denied. Kondratiev explicitly denies that he registered, trafficked in, and/or
3 used the Defendant Domain Name with the intent to profit from the Boyko
4 Mark.
5

6 33. Denied.

7 34. Denied.

8 35. Denied.

9 36. Denied.

10 37. Denied. Kondratiev explicitly denies that he registered, trafficked in, and/or
11 used the Defendant Domain Name to divert consumers from the legitimate
12 website.
13

14 38. Denied. Kondratiev points out that the Complaint contains erroneously
15 numbered paragraphs 39, 41, and 45 suggesting that the Complaint was
16 prepared in haste without proofreading by all five of the Plaintiffs' listed
17 lawyers.
18

19 39. Denied.

20 40. Denied.

21 41. Denied.

22 42. Denied.

23 43. Denied.

24 44. Denied.

25 45. Denied. This paragraph number was entered in error.
26
27
28

1 46. Denied.

2 47. Denied.

3 COUNT TWO

4
5 48. Denied.

6 49. Denied.

7 50. Denied.

8
9 51. Denied. Kondratiev specifically denies that he had a “specific intent to profit
10 from the Domain Name” that he doesn’t own. Kondratiev also denies that
11 “Kondratiev’s \$10 million dollar claims against Boyko were dismissed in the
12 Canada Lawsuit”.
13

14 52. Denied.

15 53. Denied.

16 54. Denied.

17 55. Denied.

18 56. Denied.

19 57. Denied.

20 58. Denied.

21 59. Denied.

22 60. Denied.

23 COUNT III *[sic]*

24 61. Denied.

25 62. Denied.

1 63. Denied.

2 64. Denied.

3 65. Denied.

4 66. Denied.

5
6 **PRAYER FOR RELIEF**

7 WHEREFORE, Kondratiev denies that the Plaintiffs are entitled to any of the
8 relief requested in the unnumbered “WHEREFORE” clause following Paragraph 66,
9 including subparts (i) through (ix), and respectfully requests that the Court dismiss the
10 Complaint in its entirety and enter judgment in his favor and against the Plaintiffs.
11

12 The final paragraph also requires no response. To the extent a responsive pleading
13 is required, Kondratiev denies that the Plaintiffs are entitled to a jury trial.
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15

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17 **AFFIRMATIVE DEFENSES**

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19 Defendant hereby asserts the following affirmative defenses:
20

21 **FIRST DEFENSE**

22 The Complaint fails to state a claim upon which relief may be granted.
23

24 **SECOND DEFENCE**
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1 The Plaintiffs have not produced any evidence that Kondratiev was somehow involved in
2 the alleged cybersquatting, and they further provided no evidence that Kondratiev has done
3 anything that falls into jurisdiction of this Court.
4

5 **THIRD DEFENCE**

6 Upon information and belief, the Plaintiffs' claims are barred, in whole or in part, by
7 applicable statutes of limitation.
8

9 DATED this 8th day of August 2023

Respectfully submitted,

11 By: 
12 _____

13 Alexey Kondratiev

14 *Pro Se Defendant*
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